

DEP & REF 307



PATENT MAINTENANCE  
DIVISION

**Nixon & Vanderhye P.C.**  
ATTORNEYS AT LAW

2004 AUG 18 PM 4:50

8TH FLOOR  
1100 NORTH GLEBE ROAD  
ARLINGTON, VIRGINIA 22201-4714

TELEPHONE: (703) 816-4000  
FACSIMILE: (703) 816-4100  
WRITER'S DIRECT DIAL NUMBER:  
(703) 816-4826

August 12, 2004

Honorable Commissioner of Patents  
and Trademarks  
Office of Finance  
Refunds Section  
Crystal Park 1, Suite 802  
Washington, DC 20231-0002

**Subject: REQUEST FOR FEE REFUND**  
**Inventor: HOYT et al**  
**Serial No.: 10,059,364**  
**Filing Date: January 31, 2002**  
**Title: DYED SHEATH/CORE FIBERS AND METHODS OF MAKING**  
**SAME**  
**Attorney Docket: 1005-189**

Dear Sir:

Regarding the Monthly Statement of Deposit Account dated July, 2004 (copy attached), we believe there is a fee related error therein, which has resulted in a charge to our Deposit Account that appears to be unwarranted. Please refer to the following explanation and advise us of your own review as soon as possible.

Our account was charged \$330.00 for a "Notice of Appeal" and \$420.00 for an "extension for response within second month," both posted on July 8, 2004, in the above-identified matter. After a careful review of the file we have discovered that the required fee of \$750.00 is erroneous. All fees were paid by check No. 85908 when the Notice of Appeal was filed on June 30, 2004 (copy of cover sheet, postcard receipt and canceled check enclosed). Therefore, it is requested that a refund in the amount of \$750.00 be credited to our Deposit Account Number 14-1140 for which purpose a duplicate copy of this request is attached.

Thank you for your time and assistance, and if you have any questions, please do not hesitate to call me at the above number.

Respectfully submitted,

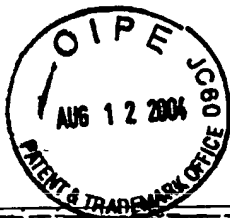
**NIXON & VANDERHYE P.C.**

By: 

Bryan H. Davidson, Esq.  
Reg. No. 30,251

BHD:fmh  
Copy to: Nixon & Vanderhye P.C. Accounting Department

**BEST AVAILABLE COPY**



PATENT MAINTENANCE  
DIVISION

2004 AUG 12 PM 4:50

85908

NIXON & VANDERHYTE, P.C.

PTO ACCOUNT  
1100 N. GLEBE ROAD, 8TH FLOOR  
ARLINGTON, VA 22201-4714

DATE 6-30-04

68-426-614

PAY  
TO THE  
ORDER OF

NON. COMMISSIONER OF PATENTS AND TRADEMARKS

\$ 750.00

Seven Hundred Fifty and 00/100

DOLLARS

1005-189				

THIS CHECK IS DELIVERED FOR PAYMENT ON THE ACCOUNT'S BEST

⑈00085908⑈ ⑆051404260⑆5139088230⑈

⑈0000075000⑈

Account:5139088230  
CheckAmt: 750.00  
SerialNum:85908  
PostDate:20040702  
ItemSeqNu:302713074  
ProcDate:07/02/2004  
TrRoutNum:0  
TracerNum:302  
TransCode:0

ECP 6517  
PK1001  
07/06/04

2000534605

U.S. - 23

9109 76514

⑈0310000⑈14  
HACH/PA MA 07021 407  
PHIL, PA 07020 244  
7411056561

Account:5139088230  
CheckAmt: 750.00  
SerialNum:85908  
PostDate:20040702  
ItemSeqNu:302713074  
ProcDate:07/02/2004  
TrRoutNum:0  
TracerNum:302  
TransCode:0

BEST AVAILABLE COPY

PATENT MAINTENANCE  
DIVISIONUnited States  
Patent and  
Trademark Office

2004 AUG 18 PM 4: 50

**Deposit Account Statement**

**Requested Statement Month:** July 2004  
**Deposit Account Number:** 141140  
**Name:** NIXON & VANDERHYE P.C.  
**Attention:** LENARD MITCHARD  
**Address:** 1100 N GLEBE ROAD  
**City:** ARLINGTON  
**State:** VA  
**Zip:** 22201-4714

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
07/01	1	10239146	611-66 LCM	1202	\$432.00	\$18,191.98
07/01	3	10291829	1767-111	1253	\$950.00	\$17,241.98
07/01	4	10291829	1767-111 MJS	1814	\$110.00	\$17,131.98
07/01	24	09986646	723-1215 RWT	8001	\$3.00	\$17,128.98
07/01	53	09532768	2466-60	1504	\$285.00	\$16,843.98
07/01	55	09532768	2466-60 JRL	8001	\$15.00	\$16,828.98
07/01	105	5476654	4379-3 WG	8021	\$40.00	\$16,788.98
07/02	26	PCT/US04/19034	4061-24 GRT	1703	\$48.00	\$16,740.98
07/02	436	1524385	854-11 DJB	8521	\$40.00	\$16,700.98
07/06	4	10416567 HWB	2466-113 JRH	1806	\$180.00	\$16,520.98
07/07	1	09789574	1248-30 MEN	1201	\$86.00	\$16,434.98
07/07	2	09503912	375-18 RWA	1202	\$18.00	\$16,416.98
07/07	8	10500613	51-575	1610	\$770.00	\$15,646.98
07/07	9	10500613	51-575 ARC	1617	\$130.00	\$15,516.98
07/07	21	REPLENISHMENT		9204	-\$5,000.00	\$20,516.98
07/08	4	10059364				\$20,186.98
07/08	4	10452907	1035-452 HWB	1806	\$180.00	\$20,006.98
07/08	5	10059364				\$19,586.98
07/09	1	PCT/US03/36336	4389-6 PTB	1604	\$840.00	\$18,746.98
07/09	48	10239087	36-1606 LSN	8021	\$40.00	\$18,706.98
07/12	1	09831724	124-852	1201	\$86.00	\$18,620.98
07/12	2	09831724	124-852 ARC	1202	\$18.00	\$18,602.98
07/12	3	D402755 Paul	4398-57	9204	-\$40.00	\$18,642.98
07/12	38	10128590 BJS	255-2551-75	8021	-\$40.00	\$18,682.98
07/13	137	09976048	1035-349 HWB	8021	\$40.00	\$18,642.98
07/14	1	10499403	3665-99 BJS	1613	\$920.00	\$17,722.98
07/14	2	10472884	620-276 BJS	1253	\$558.00	\$17,164.98
07/14	2	10499403	3665-99 BJS	1615	\$486.00	\$16,678.98

BEST AVAILABLE COPY

PATENT MAINTENANCE  
DIVISION

Serial No.: 10/09,364  
Applicant: *Max 21/1*  
Title: *Dyed Shirts/Car Fibers and*  
*Methods... Same*

Atty: BND  
Date: 6/30/04  
Client: PH 4:25  
Ref: 189

\_\_\_\_\_ Amendment  
 \_\_\_\_\_ Pages Specification  
 \_\_\_\_\_ Claims  
 \_\_\_\_\_ Sheets Drawings: Formal \_\_\_\_\_  
    Informal \_\_\_\_\_  
 \_\_\_\_\_ Declaration ( \_\_\_\_\_ Pages)  
 \_\_\_\_\_ Assignment  
 \_\_\_\_\_ Priority Document  
 \_\_\_\_\_ Base Issue Fee Transmittal  
\$ 75.00 Fee (Check)

Other: *Notice of Appeal*

Pre-Bill -	\$	
Non Pre-Bill -	\$	750.00
TOTAL -	\$	750.00

2014 AUG 18 PM 4: 50

GENERAL INVESTIGATIVE  
DIVISION

**BEST AVAILABLE COPY**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
Before the Board of Patent Appeals and Interferences

In re Patent Application of

HOYT et al

Serial No. 10/059,364

Filed: January 31, 2002

Title: DYED SHEATH/CORE FIBERS AND METHODS OF MAKING SAME

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Atty Dkt.: 1005-189

C# M#

TC/A.U.: 1771

Examiner: Cheryl Ann Juska

Date: June 30, 2004



Sir:

☐ Correspondence Address Indication Form Attached.

☒ **NOTICE OF APPEAL**

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner. (\$ 330.00 )

\$ 330.00

☐ An appeal BRIEF is attached in triplicate in the pending appeal of the above-identified application (\$ 330.00)

\$

☐ Credit for fees paid in prior appeal without decision on merits

-\$ ( )

☐ A reply brief is attached in triplicate under Rule 193(b)

(no fee)

07/08/2004 TROSS1 00000005 141140 10059364

01 FC:1252 Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$420.00/2 months; \$950.00/3 months; \$1480.00/4 months)

\$ 420.00

SUBTOTAL \$ 750.00

☐ Applicant claims "Small entity" status, enter 1/2 of subtotal and subtract

-\$ ( )

☐ "Small entity" statement attached.

SUBTOTAL \$ 750.00

Less month extension previously paid on

-\$ ( 0.00)

07/08/2004 TROSS1 00000004 141140 10059364

TOTAL FEE ENCLOSED \$ 750.00

01 FC:1401 Future submission requiring an extension of time is hereby stated to include a petition for such time extension.

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
BHD:fmh

NIXON & VANDERHYTE P.C.

By Atty: Bryan H. Davidson, Reg. No. 30,251

Signature: 

Adjustment date: 09/21/2004 EEKUBAY1  
07/08/2004 TROSS1 00000005 141140 10059364  
01 FC:1252 420.00 CR

Adjustment date: 09/21/2004 EEKUBAY1  
07/08/2004 TROSS1 00000004 141140 10059364  
01 FC:1401 330.00 CR

BEST AVAILABLE COPY